

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michel H. Malek
Title: SPINE STABILIZATION
SYSTEMS
Appl. No.: 10/722,119
Filing Date: 11/25/2003
Examiner: David C. Comstock
Art Unit: 3733
Confirmation Number: 4839

RESPONSE TO SPECIES ELECTION REQUIREMENT AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Comstock:

This communication is responsive to the Office Action, dated January 18, 2007, concerning the above-referenced patent application. The 31-day period for responding to the election requirement is set to expire on February 18, 2007; however, as February 18, 2007, was a Sunday, and February 19, 2007 was a federal holiday, Applicant believes this response to be timely filed.

Applicant does not believe any fees are due with this response, however the Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check or credit card payment

form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Election/Remarks begin on page 7 of this document.

Please amend the application as follows: